

Arizona
Forest Land Enhancement Program
Cost-Share Program Guidelines

Land Ownership/Acreage Eligibility

The Forest Land Enhancement and Forest Stewardship Programs are applicable to all lands which meet the following criteria:

- * They must be private forest land, that is lands owned by an eligible landowner with existing tree cover, and other lands including crop land, pasture land, surface-mined lands, and non-stocked forest lands that are scheduled for conversion to tree cover.

NIPF Clarifications:

- * "...lands with existing tree cover..." are defined as lands stocked with at least 10% tree cover (25% crown cover) of any size (At maturity, the trees must be "*tree form*" which is defined as greater than eight (8) feet in height).
- * The minimum area for eligibility is ten (10) acres, owned by an individual or by an organized group of individuals. Strips of trees must have a crown width of at least 120 feet except for windbreaks, which must have a crown width of at least 60 feet at maturity. **There is no minimum width requirement for riparian forest land.**
- * Unimproved roads and trails, streams, and clearings in forest areas are classified as NIPF if less than 120 feet wide.
- * "...other lands including crop land, pasture land, surface-mined lands, and non-stocked forest lands that are scheduled for conversion to tree cover." are eligible only if the trees that are naturally regenerated or planted are capable of survival *without* supplemental irrigation *once they are established*. ***Established is defined as three years after they are planted.***
- * They must be owned by an eligible landowner. An eligible landowner is any individual, joint operation, group, association, corporation, American Indian tribe or other Native American group, or other private legal entity, and each individual member of those organizations.

Maximum acreage limitations are as stated in the Interim Final Rule: *A landowner is eligible to receive funds under the cost-share element of FLEP for treatment of not more than a total of 1,000 acres of land annually, except where a State Forester, with the concurrence of a responsible official, determines that significant public benefits would accrue from approval of a landowner's treating up to 5,000 acres annually.*

A landowner must agree to conduct land treatments according to the landowner's Landowner Forest Stewardship Plan and attached practice plans, and to maintain FLEP practices for a minimum of ten (10) years.

Determination of Cost-Share Rates and Practices The State Forester, in consultation with the Arizona Forest Stewardship Committee, determines which practices will be offered, the priority of each, and the corresponding cost-share rates (see Pages 10-11 of the State Priority Plan and Arizona FLEP Practices & Components).

Cost-Share Fund Distribution/Application/Payment Cost-share monies shall be obligated by the USDA Forest Service to the State of Arizona when the state program grant is approved. Those monies will then be held by the Forest Service in lieu of cost-share payments to landowners for completed and approved practices. When the funds for cost-share payments have been received by the Arizona State Land Department, the State of Arizona will then issue payment to the landowners. Slippage—that is, cost-share monies that are not approved for final payment—may be reallocated to new practices.

Landowner applications for cost-share will be developed and submitted in collaboration with the Land Department Service Forester. Likewise, requests for reimbursement by the landowner must involve the Service Forester. This process is designed to provide the highest quality service to the landowner and to ensure that the applications/requests for reimbursement are made in compliance with program guidelines. In order for the Service Forester to do a professional job of assisting the landowner including project oversight and approval, it is imperative that he/she be involved with the process from start to finish.

Applications must be processed by the Service Forester and forwarded to the District Forester within thirty (30) days of their receipt. The District Forester, in coordination with his/her Service Foresters, then has thirty (30) days in which to prioritize applications at the District level before submitting them to the Forest Stewardship Coordinator for consideration. Within thirty (30) days of receipt, the Forest Stewardship Coordinator shall approve, disapprove¹, or defer² all landowner applications, and forward them to the State Forester for final approval. Approvals by the Service Forester, Forest Stewardship Coordinator, and State Forester shall all be in writing. Within thirty (30) days of final approval by the State Forester, the Forest Stewardship Coordinator shall notify the applicant, as well as the the Service Forester, the District Forester, and the Forestry & Fire Fiscal Section. Cost-share funds will then be obligated by the Forestry & Fire Fiscal Section.

Requests for Reimbursement also require written approval by the Service Forester and the Forest Stewardship Coordinator, but do not go through the District Forester, nor do they require the written approval of the Deputy State Forester. Time frames for

¹ Disapprovals shall be documented in notification sent to the applicant, the Service Forester, and the District Forester.

² Applications may be deferred due to insufficient funds being available, or to unavoidable delays due to access or scheduling conflicts.

processing Requests for Reimbursement are also thirty (30) days each for the Service Forester and the Forest Stewardship Coordinator. The Forest Stewardship Coordinator will send approved Requests for Reimbursement to the Forestry & Fire Fiscal Section, which will initiate a three-to-six (3-6) week period before the landowner can expect to be paid.

Cost-Share Payment Limitations Landowners who participate in Arizona's FLEP may not receive more than \$10,000 in cost-share during any federal fiscal year, and may not receive more than \$50,000 in aggregate cost-share through federal fiscal year 2007.

Performance Period Term for the cost-share agreement shall be one year from the date of approval by the Deputy State Forester's signature, unless otherwise specifically authorized in writing by the Service Forester and Forest Stewardship Coordinator. Under normal circumstances, the agreement may be extended for up to one (1) year. If practices are not completed within two (2) years, due to conditions beyond the landowner's control, the Deputy State Forester may grant an additional extension, not to exceed one (1) year. Thus, under extenuating circumstances, the performance period may be extended to a maximum total of three (3) years.

Cost-Share of Management Plans Landowners must comply with the *Arizona Landowner Forest Stewardship Plan Guidelines* in order to be approved for cost-share under FLEP-1: Management Plan Development. Those guidelines can be found on pages 4 and 5 of this document.

Eligible Practices for Cost-Share Assistance Exhibit C of the Cost-Share Guidelines provides a detailed description of which FLEP practices are offered in Arizona, what the priority and cost-share rate are for each of the practices, which components are authorized for each practice, and what the unit of measure is for each of the components. Exhibit C can be found on page 6 of this document.

Maintenance and Compliance Assurance of practice maintenance and compliance will be accomplished through the following techniques:

1. Service Foresters will conduct an on-site inspection of completed practices at least once every five (5) years.
2. The Arizona Forest Stewardship Committee will conduct annual field trips to observe and assess the effectiveness of program delivery and compliance by landowners.

Recapture of Funds

In the event a landowner is found to be in non-compliance, documentation of the non-compliance will first be documented by the Service Forester in a report to the Forest Stewardship Coordinator. If it is possible to bring the practice back into compliance, the landowner will be notified in writing that he/she has six (6) months in which to do so

without restitution. If the practice cannot be brought back into compliance (e.g., a thinned stand of trees has been bulldozed and paved over), or if the landowner fails to rectify the problem in the time allotted, then the Land Department will pursue recapture of cost-share funds from the landowner. The recapture process will be promulgated by the Land Department with assistance from the Office of the Arizona Attorney General, and any recaptured funds will be reallocated as cost-share if possible.

Appeals Procedures

Appeals shall be made in writing to the Forest Stewardship Coordinator, who shall acknowledge receipt of the appeal to the landowner. The appeal shall then be heard by the Technical Oversight Committee, and their decision will be communicated in writing to the landowner within thirty (30) days of the acknowledged receipt of the appeal. If the appeal is not resolved in that fashion, it will then be elevated to the Arizona Forest Stewardship Committee, where a recommendation will be formulated for the State Forester. The decision of the State Forester shall be the final step in the state appeals procedure. Any further attempts at recourse would involve the responsible official with the USDA Forest Service Regional Office in Albuquerque, New Mexico.

LANDOWNER FOREST STEWARDSHIP PLAN GUIDELINES

State of Arizona

Revised 07/27/02

I. COVER SHEET

- A. Title (including name of landowner)
- B. Name and affiliation of author
- C. Date prepared, amended, or revised

II. TITLE PAGE

- A. Title
- B. Name, address, and telephone number of landowner
- C. Name, employer, mailing address, telephone number, and e-mail address of author
- D. Date prepared, amended, or revised

III. SIGNATURE PAGE

- A. Stewardship Pledge

Approval of this report signifies a pledge by the landowner, as a forest steward, to implement this plan to the best of his (her) ability. Biological, economic, social, and political constraints which help to shape the stewardship plan are constantly changing and create a dynamic environment. In the event that these constraints undergo change which affects the plan, it will be modified accordingly. All management practices implemented through this plan will reflect a dedication by the landowner to good forest stewardship.

- B. Approval signature of landowner
- C. Recommendation signature of Service Forester
- C. Approval signature of Stewardship Coordinator

IV. TABLE OF CONTENTS

V. INTRODUCTION AND DESCRIPTION

- A. Property Description
 - 1. Location and Access
 - 2. Acreage Summary
 - 3. Ownership Patterns
 - 4. History
 - 5. Landscape Setting
 - a. Topography
 - b. Soils
 - c. Vegetation
 - d. Climate
- B. Ecosystem Description (*Existing Condition, Issues and Concerns, Opportunities*)
 - 1. Esthetics
 - 2. Historical and Archaeological
 - 3. Fish and Wildlife
 - 4. Forest Health
 - 5. Recreation
 - 6. Watershed Condition
 - 7. Rare, Threatened, and Endangered Species
 - 8. Timber

VI. LANDOWNER OBJECTIVES (*Desired Futures*)

VII. MANAGEMENT ALTERNATIVES

- A. Action / No Action Alternatives
- B. Environmental Assessment / Anticipated Effects
(By resource categories listed above in V.B. 1-8; regulatory clearances to be documented)
- C. Economic Assessment (Estimated costs and revenues of management alternatives)
- D. Statement of Finding

VIII. MAPS

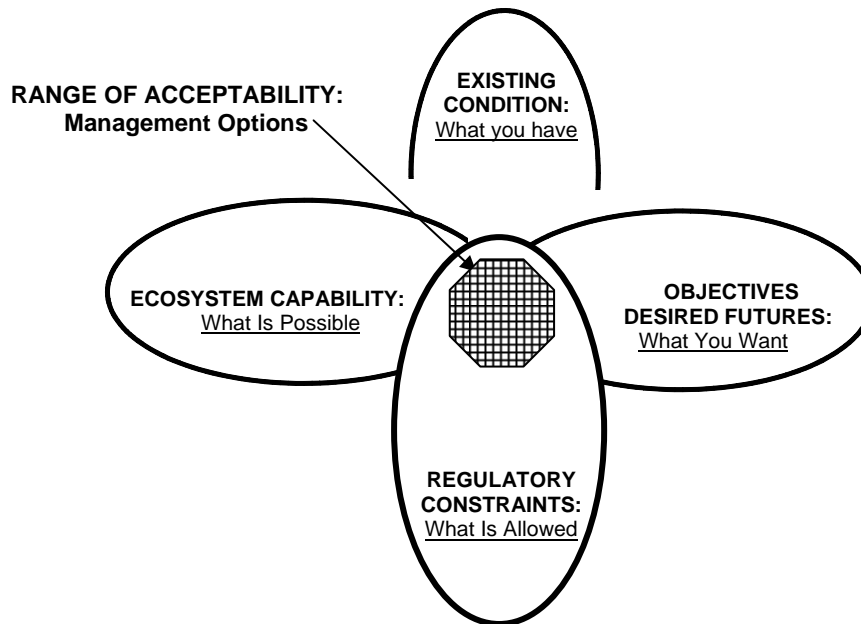
IX. DEFINITIONS

X. APPENDICES

LANDOWNER FOREST STEWARDSHIP PLAN GUIDELINES

State of Arizona **Revised 07/27/02**

The Landowner Forest Stewardship Plan (LFSP) should reflect and promote the intent of the Forest Stewardship Program as stated in the enabling legislation¹: that is, it should “encourage long-term stewardship of non-industrial private forest lands by assisting owners of such lands to more actively manage their forest and related resources”. The LFSP provides guidance to the landowner in the form of “management recommendations shaped by natural resource professionals”²



The LFSP should consider four factors: **1.** *The existing condition of the forest ecosystem;* **2.** *What the forest ecosystem is capable of within the limits of ecosystem integrity;* **3.** *The objectives / desired futures of the landowner;* **4.** *What is legal / permissible under existing laws and regulations.* As illustrated above, there is overlap between these four factors (see crosshatched area) which is referred to as the *Range of Acceptability*. Only those management actions which fall within this *Range of Acceptability* should be offered as alternatives in the LFSP.

The LFSP does not make final management decisions for the landowner. Rather, it provides the landowner with the necessary information to make sound decisions regarding the management of his (her) forest land. Selection of a preferred course of action is to be done by the landowner after careful consideration of the information presented in the LFSP.

Information presented in the LFSP need only be technical and detailed enough to enable the landowner to choose a preferred alternative. Once the landowner has decided on a course of action, additional or more detailed information may be necessary for implementation. This might include resource data, practice specifications, and/or cost estimates. Information of this sort is incorporated into a detailed prescription plan which, once completed, and approved, becomes an addendum to the LFSP³.

¹The Forest Stewardship Program was created by Title XII–The Forestry Title of the 1990 Farm Bill (Section 5 of the Cooperative Forestry Assistance Act of 1978, as amended: 16 U.S.C. § 2103a).

²Phrases in quotations are excerpted from Section 5 of the Cooperative Forestry Assistance Act of 1978, as amended: 16 U.S.C. § 2103a.

³Practice specifications are required for implementation through the Stewardship Incentive Program.

ARIZONA
Forest Land Enhancement Program
Practices & Components

| <i>Practices</i> | <i>Priority C/S Rate</i> | <i>Components</i> | <i>Units</i> | <i>Numeric Code</i> |
|--|-------------------------------------|--|--|--|
| FLEP-1: Landowner Forest Stewardship Plan (LFSP) Development | Very High 75% | LFSP Development–New LFSP Development–Revised | number number | 10 10 |
| FLEP-2: Afforestation & Reforestation | ----- | <i>Not Offered–Tree planting available under FLEP-10</i> | ----- | ----- |
| FLEP-3: Forest Stand Improvement | ----- | <i>Not Offered–Intent of this practice met thru FLEP-7</i> | ----- | ----- |
| FLEP-4: Agroforestry Implementation | ----- | <i>Not Offered</i> | ----- | ----- |
| FLEP-5: Water Quality Improvement & Watershed Protection | Medium 55% | Grade Stabilization Structure Culverts Design & Layout (roads, stream crossings, drainage systems, streamside management areas) Surface Water Diversions Restoration of Natural Hydrology Stream Channel Stabilization Weed Barriers or Mulch | number feet feet feet miles feet acres | 410 560 560 362 362 584 484 |
| FLEP-6: Fish & Wildlife Habitat Improvement | Low 50% | Stream Habitat Improvement & Management Riparian Forest Buffer Channel Vegetation Wildlife Watering Facility Artificial Cavities, Nest Boxes, Roost Poles, or Platforms Threatened & Endangered Species (TES) Habitat Enhancement | acres feet acres number number acres | 395 391 322 648, 574 645 645 |
| FLEP-7: Forest Health & Protection | High 65% | Tree Thinning & Slash Piling Tree Thinning & Slash Chipping Burning | acres acres acres | 666 666, 484 338 |
| FLEP-8: Invasive Species Control | Low 50% | Invasive Species Control–Chemical Invasive Species Control–Mechanical | acres acres | 595, 643 595, 643 |
| FLEP-9: Wildfire & Catastrophic Risk Reduction | High 65% | Tree Thinning & Slash Piling Tree Thinning & Slash Chipping Burning | acres acres acres | 666 666, 484 338 |
| FLEP-10: Wildfire & Catastrophic Event Rehabilitation | Medium 55% | Tree Planting–Bareroot Tree Planting–Containerized Tree Shelters Weed Barriers or Mulch Fertilizing Animal Repellants Micro-Irrigation Fencing Site Preparation–Chemical Site Preparation–Plowing Site Preparation–Discing Site Preparation–Chiseling | acres acres acres served acres acres served acres feet feet acres acres acres acres | 612 612 612 484 612 612 612 382 490 490 490 490 |
| FLEP-11: Special Practices | ----- | <i>Not Offered</i> | ----- | ----- |